

0009

From: "Belka, Christine " <cbelka@osmre.gov>
To: "Jim Smith" <jimdsmith@utah.gov>
Date: 5/28/2009 3:47 PM
Subject: RE: Des Bee Dove Bond Release
Attachments: DBD Ph1 conc letter.pdf

*Incoming
C/015/0017*

#321

OK

Hi Jim,

The attached concurrence letter will go out with tomorrow's mail. Thank you for all of your help.

Christine Belka
Environmental Protection Specialist
OSMRE Denver Field Division
1999 Broadway, Suite 3320
Denver, CO 80202
(303) 293-5020

-----Original Message-----

From: Jim Smith [mailto:jimdsmith@utah.gov]
Sent: Thursday, May 28, 2009 9:55 AM
To: Belka, Christine
Subject: Re: Des Bee Dove Bond Release

Christine,

Attached is the proposed Decision Document.

I'm not sure if the findings you refer to is an additional document or is this covers it.

The 1st page lists:

Decision Document (attached)

Technical Analysis (revised sept 2005 when reclamation of the pond and road were approved - TA2727fin.doc - attached)

Affidavit of Publication (Attachment C in the application

Phase I Bond Release Inspection Report (0013.pdf - attached)

BLM Concurrence Letter (0002.pdf - attached)

USFS Concurrence Letter (0005.pdf - attached)

OSM Concurrence Letter (forthcoming?)

>>> "Belka, Christine " <cbelka@osmre.gov> 5/27/2009 1:49 PM >>>
Hi Jim,

Just a quick reminder that I do need DOGM's findings and proposed decision document for the pending Des Bee Dove Phase I Bond Release. This is the decision that I would be concurring with, so I must review it. The deadline for concurrence provided to OSM by DOGM is tomorrow. This will be my top priority once I receive the findings and proposed decision document.

Thank you,

Christine Belka

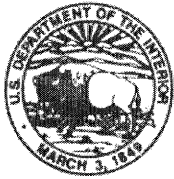
Environmental Protection Specialist

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(303) 293-5020



United States Department of the Interior

OFFICE OF SURFACE MINING
Reclamation and Enforcement
P. O. Box 46667
Denver, Colorado 80201-6667

IN REPLY REFER TO:

28 MAY 2009

John R. Baza, P.E., Director
Department of Natural Resources
Division of Oil, Gas, and Mining
1594 West North Temple
Suite 1210, PO Box 145801
Salt Lake City, UT 84114-5801

RE: Des Bee Dove, Utah Permit No. C/015/0017, Phase I Bond Release Application

Dear Mr. Baza:

This letter acknowledges the Office of Surface Mining's (OSM) receipt and review of the above Phase I Bond Release application. OSM received the Division of Oil, Gas and Mining's (DOGM) request for concurrence dated April 29, 2009, and its May 28, 2009 Draft Decision Document (decision). OSM's Denver Field Division (DFD) agrees with the findings in the decision and hereby provides OSM concurrence for this bond release action in accordance with 30 CFR 740.15 (d) (3), and 30 CFR 944.30, Article IX, of the State-Federal Cooperative Agreement.

PacifiCorp submitted an application for Phase I Bond Release on August 28th, 2008. The areas covered by this bond release include the reclaimed Des Bee Dove sedimentation pond, and pond access road, and two remote portals (Beehive and Deseret) in Maple Gulch Canyon. The application requested bond release for approximately 13.9 acres of land; however, no reduction in the amount of bond being held is requested (the bond is to remain at \$1,169,718.00).

Public and landowner notification of the bond release application were provided to OSM by DOGM. The bond release inspection notification, DOGM's inspection findings for the bond release inspection and related correspondence are documented in the decision document. DOGM sent an invitation letter informing interested parties of the bond release inspection on November 19, 2008. Inadvertently, OSM was not notified of or invited to the inspection and therefore did not participate. Three attendees from the BLM and two representatives of the permittee accompanied six DOGM staff conducting the bond release inspection. DOGM received concurrence letters from the BLM on February 2, 2009 and from the USFS on March 5, 2009.

OSM has reviewed DOGM's draft Decision Document and bond release inspection report, as well as other pertinent documentation including the public notice, the applicant's August 28, 2008 request and application for bond release, the list of administrative and bond release requirements, and aerial photographs of the site.

The DOGM inspection report documents the approved post mining land use, topsoil placement, the reclaimed access road corridor, vegetation beginning to take hold, diversions appearing

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functional, and sedimentation pond reclamation. The DOGM finds, in its Decision Document, that PacifiCorp has completed Phase I reclamation for these areas as required by the Utah Coal Mining Rules. OSM concurs with the findings in DOGM's Phase I bond release decision.

Thank you and your staff for coordinating this Federal lands bond release through the DFD. Please direct any questions concerning this action to Christine Belka, Environmental Protection Specialist, at cbelka@osmre.gov or (303) 293-5020.

Sincerely,

A handwritten signature in dark ink, appearing to read "James F. Fulton".

James F. Fulton, Chief
Denver Field Division